

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Joe Hand Promotions, Inc.,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No.: 4:11-cv-2022-TLW-TER
)	
Pee Dee Benevolent Society, Inc.)	
d/b/a V a/k/a Club V; J Michael)	
Timmons, Jr. a/k/a John Timmons;)	
and Charles E. Lamb,)	
)	
Defendants.)	
)	

ORDER

This matter is now before the undersigned for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2), DSC. In his Report, Magistrate Judge Rogers recommends that the Court grant Plaintiff’s Motion for Default Judgment (Doc. # 10) and find Defendants Pee Dee Benevolent Society, Inc. d/b/a V a/k/a Club V; J Michael Timmons, Jr. a/k/a John Timmons; and Charles E. Lamb liable to Plaintiff for their violation of 47 U.S.C. § 605 or for conversion. (Doc. # 13). Within fourteen days of the Report, the plaintiff was directed to elect recovery under one of these claims. (Doc. # 13). The plaintiff elects recovery under the 47 U.S.C. § 605 claim. (Doc. # 15). For the § 605 claim, the Report recommends that a judgment in favor of Plaintiff be entered against Defendants, jointly and severally, in the amount of \$15,000.00 in statutory and enhanced damages plus \$1,973.40 in

attorney's fees and costs, for a total judgment of \$16,973.40. (Doc. # 13). No party has filed objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 13), and Plaintiff's motion for default judgment (Doc. # 10) is **GRANTED**, as outlined in the Report and Recommendation of the Magistrate Judge. Specifically, default judgment is entered against Defendants Pee Dee Benevolent Society, Inc. d/b/a V a/k/a Club V; J Michael Timmons, Jr. a/k/a John Timmons; and Charles E. Lamb, and they are found to be liable to Plaintiff for their violation of 47 U.S.C. § 605. As a result of such violation, Plaintiff is awarded judgment against Defendants, jointly and severally, in the amount of \$15,000.00 in statutory and enhanced damages plus \$1,973.40 in attorney's fees and costs, for a total judgment of \$16,973.40.

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

June 13, 2012
Florence, South Carolina